

AMENDED IN ASSEMBLY APRIL 28, 2005

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1379

Introduced by Assembly Member Lieber

February 22, 2005

An act to add Section 4474.3 to the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1379, as amended, Lieber. Agnews Developmental Center: closure.

Existing law establishes the State Department of Developmental Services and sets forth its duties and responsibilities, including, but not limited to, administration and oversight of the state developmental centers and programs relating to persons with developmental disabilities. Existing law requires the department to submit a plan to the Governor and the Legislature whenever it proposes closure of a developmental center. *Existing law separately requires each state agency to make an annual review of all proprietary state lands under the agency's jurisdiction to determine what, if any, land is in excess of the agency's foreseeable needs.*

~~This bill would, in addition, require, notwithstanding existing law, would prohibit the real property at Agnews Developmental Center to be dedicated to the provision of services to persons with developmental disabilities and would require that a plan for the use or sale of some or all of this property be submitted to the Legislature prior to any action being taken to remove land or facilities from that use from being classified as surplus property absent legislative~~

authorization. The bill would require the department to establish, until August 31, 2006, the Agnews Developmental Center Campus Advisory Group, to make recommendations to the Legislature regarding disposition of the Agnews campus. The bill would require the recommendations to preserve the land or its value for the use of people with developmental disabilities. The bill would require the advisory group to convene by March 1, 2006, and report its recommendations to the Legislature by June 30, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4474.3 is added to the Welfare and
2 Institutions Code, to read:
3 4474.3. (a) ~~The Notwithstanding Section 11011 of the~~
4 ~~Government Code or any other provision of law, the real~~
5 ~~property including, but not limited to, any improvements located~~
6 ~~on the Agnews Developmental Center campus shall remain~~
7 ~~dedicated to the provision of services to persons with~~
8 ~~developmental disabilities until the department determines that~~
9 ~~some or all of the property or improvements are no longer needed~~
10 ~~to meet the needs of that population.~~
11 ~~(b) In determining alternative uses, consideration shall be~~
12 ~~given to proposals, consistent with the closure plan, that would~~
13 ~~utilize the land or facilities for mixed use housing, professional~~
14 ~~services, or other uses that serve the needs of former Agnews~~
15 ~~Developmental Center residents or other persons with~~
16 ~~developmental disabilities.~~
17 ~~(c) A plan for the use or sale of some or all of the Agnews~~
18 ~~Developmental Center property shall be submitted to the~~
19 ~~Legislature prior to any action being taken to remove utilization~~
20 ~~of the land and facilities from serving the needs of persons with~~
21 ~~developmental disabilities.~~
22 ~~(d) The Legislature intends to authorize, pursuant to the~~
23 ~~Budget Act or other statute, the use of the proceeds from the sale~~
24 ~~of any portion of the Agnews Developmental Center property to~~
25 ~~fund housing, services, or programs for persons with~~
26 ~~developmental disabilities pursuant to the recommendations of~~
27 ~~the department.~~

1 *campus may not be classified as surplus property absent express*
2 *legislative authorization.*

3 *(b) The department shall establish the Agnews Developmental*
4 *Center Campus Advisory Group, to provide the Legislature with*
5 *recommendations regarding the disposition of the real property*
6 *of the Agnews Developmental Center campus. The*
7 *recommendations shall preserve the land, or its value, for the use*
8 *of people with developmental disabilities, who receive services*
9 *under the Lanterman Developmental Disabilities Services Act*
10 *pursuant to Division 4.5 (commencing with Section 4500).*

11 *(c) (1) The advisory group established pursuant to*
12 *subdivision (b) shall be cochaired by the executive directors of*
13 *the San Andreas Regional Center, the Regional Center of the*
14 *East Bay, and the Golden Gate Regional Center, if they consent*
15 *to serve. At a minimum, each of the following organizations may*
16 *appoint representatives to serve on the advisory group:*

17 *(A) Protection & Advocacy, Inc.*

18 *(B) Keep Our Families Together.*

19 *(C) The City of San Jose.*

20 *(D) The County of Santa Clara.*

21 *(E) The Santa Clara County Cities Association.*

22 *(F) The Association of Mentally Retarded Adults.*

23 *(G) The Housing Authority of the County of Santa Clara.*

24 *(F) Affected labor organizations.*

25 *(2) Members of the advisory group shall serve without*
26 *compensation or reimbursement.*

27 *(3) The department shall convene the advisory group by*
28 *March 1, 2006, and the group shall report its recommendations*
29 *to the human services and budget committees of the Legislature*
30 *by June 30, 2006.*

31 *(4) The advisory group shall be dissolved on August 31, 2006,*
32 *unless a statute that is enacted before August 31, 2006, deletes or*
33 *extends that date.*